

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

The A.P. Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986) – Order of detention made by the Collector and District Magistrate, YSR District, Kadapa against Sri Jotha Bhaskar Naidu @ T.V.Bhaskar, S/o. J. Yerraiah @ Jayaramaiah, aged 35 years, R/o. Guttalapai, Nuthanakalva Village & Panchayath, K.V.Palle (M), Chittoor District – Case referred to Advisory Board - Confirmation – Orders – Issued.

GENERAL ADMINISTRATION (LAW & ORDER.II) DEPARTMENT

G.O.Rt.No. 1580

Dated:10-04-2012
Read the following:-

- 1 Order of detention Ref.C1/227/M/2012, dated:6-3-2012 of the Collector & District Magistrate, YSR District, Kadapa.
2. G.O. Rt. No.1239, G.A. (L&O.II) Dept., dated 17-3-2012.
3. From the Advisory Board, Report, dated 30-03-2012.

ORDER:

WHEREAS the Collector and District Magistrate, YSR District, Kadapa, made an order of detention vide reference first read above under section-3 (1) 3(2) r/w sec.2(a) & 2(g) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986) against Sri Jotha Bhaskar Naidu @ T.V.Bhaskar, S/o. J. Yerraiah @ Jayaramaiah, aged 35 years, R/o. Guttalapai, Nuthanakalva Village & Panchayath, K.V.Palle (M), Chittoor District, for repeatedly indulging himself in the activities of illicit cutting, storing, transport and smuggling of Red Sanders in contravention of Forest Laws, Indian Penal Code and with a view to prevent him from further indulging in a manner which is prejudicial to the maintenance of public order; and public wealth.

2. AND WHEREAS the Government have accorded approval of the said detention order under sub-section (3) of Section-3 of the Act, vide Government order second read above, and referred the matter to the Advisory Board on Preventive Detentions.

3. AND WHEREAS the Advisory Board constituted under section-9 of the said Act, comprising of Sri Justice T.L.N. Reddy (Retired), Chairman and two other Members, reviewed the case on 30-3-2012 and after having heard the detenu and the Investigating Officers and also after perusing the connected records, reported, vide reference third read above, that in its opinion "there is sufficient cause for the detention of the detenu, SriJotha Bhaskar Naidu @ T.V.Bhaskar, S/o. J. Yerraiah @ Jayaramaiah, aged 35 years, R/o. Guttalapai, Nuthanakalva Village & Panchayath, K.V.Palle (M), Chittoor District".

4. WHEREAS, the Government after careful examination of the entire record, observed that the detenu, Sri Jotha Bhaskar Naidu @ T.V. Bhaskar, S/o. J.Yerraiah @ Jayaramaiah, is found to be involved in as many as 5 (Five) cases viz. 1) OR No.72/2011-12, dt. 11-12-2011, FRO, Sanipaya, 2) OR No.109/2010-11,dt. 2-2-2011 of FRO., Sanipaya, 3) OR No.51/2010-11, dt. 14-11-2010 of FRO., Rajampet, 4) OR No.129/2009-10, dt. 11-11-2009 of FSD, Tirupati and 5) OR No.152/2009-10, dt. 1-1-2010 of FRO., Pileru, for the alleged activities of illicit cutting, storing, transportation of red sanders heartwood, causing willful destruction of Red sanders and damage to the public property under the provisions of sec. 20 (1) © (ii) (iii) (vi) & (x), of AP Forest Act, 1967 and under Rule 3 (1) of A.P. Red Sandal Wood and Red Sander wood Transit Rules, 1969, and under sec. 379 IPC, which are prejudicial to the maintenance of public order. The said offences

(PTO)

are punishable under Forest Act, as well as Chapter XVII of IPC, as such the activities of the individual falls under and within the meaning of 'Goonda' as defined under sec. 2(g) of Act 1 of 1986. The cases registered against the detenu reveal that he is habituated to willful destruction of pristine Red Sander Forests. The said activities of the individual are not only corroding the rare species of pristine red sander and national wealth, but also leading to disturbance of the current life of community and disturbing the tranquility of the society and the general public are too terrorized by muscle power of Goonda elements associated with the offender, in contravention of the provisions under Forest Acts and Indian Penal Code and thereby he became the source of potential danger to the public at large. In catena of decisions, the Hon'ble Courts held that 'any acts of attempt or illegal cutting of the red sander trees and smuggling the timber, would certainly have its impact on the public order'. The detaining authority having taken into account of the above illegal activities of the individual which are prejudicial to the maintenance of public wealth and public order, booked in a series of cases at regular intervals has passed the order of detention against the individual. The Advisory Board after review of the case, duly considering the representation submitted by the detenu, has opined that there is sufficient cause for detention of the detenu. As such, it appears that the detenu deserves the maximum period of detention, as provided under sec.13 of the Act, in order to prevent him from further indulging in the activities which are pre-judicial to maintenance of public order and wealth.

5. NOW, THEREFORE, after due consideration of the report of the Advisory Board and the material available on record, the Government, in exercise of the powers conferred under sub-section (1) of Section-12 read with Section-13 of the said Act, hereby confirm the Order of Detention first read above, made by the Collector & District Magistrate, YSR District, Kadapa, and as approved in the G.O. 2nd read above and direct that the detention of Sri Jotha Bhaskar Naidu @ T.V.Bhaskar, S/o. J. Yerraiah @ Jayaramaiah, aged 35 years, R/o. Guttalapai, Nuthanakalva Village & Panchayath, K.V.Palle (M), Chittoor District, be continued for a period of 12 months from the date of his detention, i.e. **09-03-2012.**

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PANKAJ DWIVEDI
CHIEF SECRETARY TO GOVERNMENT

To

Sri Jotha Bhaskar Naidu @ T.V.Bhaskar, S/o. J. Yerraiah @ Jayaramaiah, aged 35 years, R/o. Guttalapai, Nuthanakalva Village & Panchayath, K.V.Palle (M), Chittoor District **through** the Superintendent, Central Prison, Cherlapalli.

The Superintendent, Central Prison, Cherlapalli, R.R. District (with instructions (to serve the order on the detenu immediately under proper acknowledgement and arrange to read over and explain the contents therein to the detenu in the language known to him and report compliance to Government).

The Collector and District Magistrate, YSR, District, Kadapa

The Divisional Forest Officer, Rajampet, YSR District.

The Superintendent of Police, YSR District, Kadapa.

The Director General and Inspector General of Police, A.P., Hyderabad.

The Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad.

The Addl. Director General of Police (Intelligence), A.P., Hyderabad.

Sf /Sc.

//FORWARDED:: BY ORDER//

SECTION OFFICER (SC)